HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 27398 OF 2007

DATED: 20.12.2007

Between:

Ravavarapu Sivarama Krishnaiah

… Petitioner

and

The Commissioner,
Greater Visakhapatnam Municipal
Corporation, Visakhapatnam

… Respondent

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 27398 OF 2007

ORAL ORDER:

Writ Petition is misconceived.

The grievance in the writ petition is that notwithstanding an earlier direction of this court dated 14.11.2006 in W.P.No.24504 of 2006, directing the Municipal Corporation to dispose of the representation of the petitioner dated 22.12.2002, with regard to removal of encroachments around his property purchased in the lay-out approved by the Municipal Corporation, no action has yet been taken by the Corporation.

Greater Visakhapatnam Municipal Corporation is not a party-respondent in this writ petition. Instead, the petitioner has chosen to implead the Commissioner of the Corporation.

In view of the decision of a Division Bench of this court in ***Y. SUSHEELA V. ASSISTANT GENERAL MANAGER (ADMN) FOR CHIEF GENERAL MANAGER, BSNL, HYDERABAD*** ([1]), wherein it was held that writ petition seeking relief only as against officials of employer instead of impleading employer as party-respondent, is a

fatal defect for entertaining the writ petition.

In the circumstances, the writ petition as structured is not maintainable. It is accordingly dismissed. There shall be no order as to costs.

GODA RAGHURAM, J

Date: 20.12.2007
cvm

[1] . 2007 (5) ALT 691 (DB)